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CLERK
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

Jill Harrison, Plaintiff, v. Andrew Saul, Defendant.	MEMORANDUM DECISION AND ORDER DENYING WITHOUT PREJUDICE SECOND MOTION FOR PRO HAC VICE Case No. 2:20-cv-668 DBP Chief Magistrate Judge Dustin B. Pead
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Before the court is counsel Joel Ban's Second Motion for Admission Pro Hac Vice for Dana W. Duncan. (ECF No. 11.) The court denied the first motion for admission because of a failure to follow the court's new rule regarding pro hac vice admissions. (ECF No. 10.) Counsel filed the second motion with the correct form. However, the court finds it is still lacking because it fails to demonstrate good cause to grant an exception.

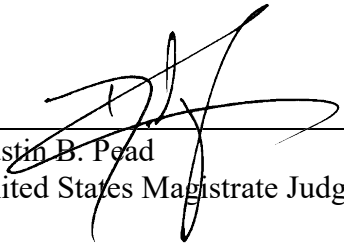
In December 2020 the court adopted Local Rule 83-1.1. This rule provides certain restrictions on pro hac vice admissions. It states: "Pro Hac vice admission is not available to any attorney who: ... (iii) has already been admitted pro hac vice in 3 unrelated cases in the previous 5 years in this district, unless the court finds good cause for the attorney not seeking admission to the Utah State Bar." DUCivR 83-1.1 (2020). Mr. Duncan has been admitted in at least eight unrelated cases in the previous 5 years. (ECF No. 9-1.) In seeking to establish good cause for not seeking admission to the Utah State Bar counsel provides the following:

Counsel's practice is limited to Social Security Disability law and has no application to Utah State Bar. Counsel only represents claimants in disability proceedings. Due to the limited number of attorneys who handle such cases in general and in Utah, Counsel has received a number of referrals for such claims.

(ECF No. 11 p. 2.) The court finds this is insufficient. Counsel offers no support for the assertion that there are a limited number of attorneys who handle these types of matters in Utah or “in general.” Without additional information the court cannot ascertain whether an exception should be granted for a request that well exceeds the rule.

Accordingly, the motion is DENIED WITHOUT PREJUDICE.

DATED this 15 March 2021.



Dustin B. Pead
United States Magistrate Judge